

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 71.1)

To:

Christensen, Mikael T.
OTICON AS
Strandvejen 58
DK-2900 Hellerup
DANEMARK

Date of mailing
(day/month/year)

08.10.2004

Applicant's or agent's file reference
P-2002-015

IMPORTANT NOTIFICATION

International application No.
PCT/DK 03/00471

International filing date (day/month/year)
03.07.2003

Priority date (day/month/year)
04.07.2002

Applicant
SENNHEISER COMMUNICATIONS AS et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Barrio Baranano, A

Tel. +49 89 2399-8621





PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-2002-015		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/DK 03/0471	International filing date (day/month/year) 03.07.2003	Priority date (day/month/year) 04.07.2002	
International Patent Classification (IPC) or both national classification and IPC H04M1/00			
Applicant SENNHEISER COMMUNICATIONS AS et al			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 03.02.2004		Date of completion of this report 08.10.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Radoglou, A Telephone No. +49 89 2399-8984 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/DK 03/00471**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-10 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/DK 03/00471**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7,9,10
	No: Claims	8
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/DK 03/00471

To section V:

With regard to claim 1 the document EP-A-1 158 754 (hereinafter referred to as D1) discloses a communication system (figure 2) for use in connection with a stationary communication line 10. The known system includes two input/output units 1, 5, the second including a first connector 12 for connection of a communication line. Both units further include a rechargeable battery (see paragraph 0026) and a connector 13, 14 for connection of a charging voltage to the rechargeable battery. Both units include transmitters and receivers for wireless communication in both directions according to the DECT standard.

The system according to claim 1 differs from that of D1 in the following features:

- each unit includes a connector for connecting an input/output device
- also the first input/output unit includes a connector for connecting a communication line.

The first feature is commonly known in the field of mobile devices. This can be seen for example from the document EP-A-0 892 533 (hereinafter referred to as D2) which shows a portable radio telephone to which a user has access through a headset.

Concerning the second feature it has to be considered that the transponder 5 in D1 is configured to provide a line connection either to a wired communication line or a mobile network. However, if the second possibility is not desired and the transponder has to establish only a wired connection the cordless unit 1 and the transponder 5 become substantially essential. In order to reduce the fabrication costs due to the diversity of models a skilled person would regard it a normal design of the device to equip all cordless units with a connector for connection to a wired communication line. Hence, the system of present claim 1 is only the result of standard system design considerations and does not involve an inventive step (Article 33(3) PCT).

Independent claim 8 seeks protection only for a single input/output unit. Such a unit is already disclosed in D1 by the transponder 5, see in detail the arguments given above. Hence, the unit of claim 8 is not novel (Article 33(2) PCT).

The features of claims 2 to 5, 7 and 10 are all known from D1, see the passages

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/DK 03/00471

mentioned above. Claims 6 and 9 relate to mere design choices which do not add anything inventive.

Additional remarks:

Reference signs in parentheses should have been inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT.

To meet the requirements of Rule 5.1(a)(ii) PCT, the documents D1 and D2 mentioned above should have been identified in the description and the relevant background art disclosed therein should have been briefly discussed.